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HOGAN & HARTSON L.L.P.
500 S. GRAND AVENUE
SUITE 1900
LOS ANGELES, CA 90071-2611

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OFFICE OF PETITIONS

In re Application of :
Natsuki Kushiyama :
Application No. 09/887,875 : DECISION GRANTING PETITION
Filed: 22 June, 2001 :
Attorney Docket No. 81790.0204 :

This is a decision on the petition filed on 5 October, 2001, which is treated as a petition under 37 CFR 1.10(c) requesting that the above-identified application be accorded a filing date of 22 June, 2001, rather than the presently accorded filing date of 25 July, 2001.

Petitioner alleges that the application was deposited in Express Mail service on 22 June, 2001. Petitioners have provided a copy of an Express Mail customer receipt showing Label No. EL849945091US (the same Express Mail number found on the itemized transmittal sheet accompanying the original application papers located in the official file). Although the Express Mail customer receipt provided with the petition does not have the "date-in" completed, a review of the USPTO's USPS Express Mail Information Database reveals that the package bearing the above-referenced Label No. was accepted by the USPS on (i.e. given a "date-in" of) 22 June, 2001.

In view of the above, the petition is granted. The \$130.00 petition fee will be refunded to counsel's deposit account, No. 50-1314.

The application is being forwarded to the Office of Initial Patent Examination for further processing **with a filing date of 22 June, 2001.**

Telephone inquiries specific to this matter should be directed to the undersigned at (703) 308-6918.

A handwritten signature in cursive script, appearing to read "D Wood".

Douglas I. Wood
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy